

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

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**Testimony of  
CARTY S. CHANG  
Interim Chairperson**

**Before the Senate Committee on  
WAYS AND MEANS**

**Wednesday, April 8, 2015  
9:00 AM  
State Capitol, Room 211**

**In consideration of  
SENATE CONCURRENT RESOLUTION 163, SENATE DRAFT 1  
AUTHORIZING THE ISSUANCE OF FOUR TERM, NON-EXCLUSIVE EASEMENTS  
COVERING PORTIONS OF STATE SUBMERGED LANDS AT STABLE ROAD BEACH,  
STABLE ROAD, SPRECKELSVILLE, WAILUKU, MAUI, FOR THE USE,  
MAINTENANCE, AND REPAIR OF FOUR EXISTING ROCK GROINS**

Senate Concurrent Resolution 163, Senate Draft 1, requests the authorization to issue four term, non-exclusive easements covering a total of approximately 7,078 square feet, more or less, being portions of State submerged lands fronting the properties identified as Tax Map Keys: (2) 3-8-002: seaward of 071, 074, 077, 078 and 094,<sup>1</sup> at Spreckelsville, Wailuku, Maui for use, maintenance and repair of four existing rock groins constructed thereon, pursuant to Section 171-53, Hawaii Revised Statutes (HRS). **The Department of Land and Natural Resources ("Department") supports this concurrent resolution.**

The Stable Road Beach Restoration Foundation, Inc. ("Foundation") worked with the Department and other State, County of Maui and Federal agencies to secure the necessary permits and approvals to construct four rock groins fronting the private properties identified above to address beach erosion. As required by Section 171-53, HRS, the Board of Land and Natural Resources ("Board") may lease submerged lands "with the prior approval of the Governor and the prior authorization of the Legislature by concurrent resolution". At its meeting on September 26, 2014, under agenda item D-6, the Board approved the construction of the rock groins and the issuance of four term, non-

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<sup>1</sup> Although the rock groins are adjacent to five parcels, only four owners are participating in the beach restoration / groin project. These four owners, who are identified in the resolution, will be the grantees of the easements.

**CARTY S. CHANG**  
INTERIM CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**DANIEL S. QUINN**  
INTERIM FIRST DEPUTY

**W. ROY HARDY**  
ACTING DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

exclusive easements for the purposes stated above. The easements will be issued to the owners of four parcels adjacent to the rock groins, all of whom are members of the Foundation.

The Board approval of September 26, 2014 requires the easements to be appraised at fair market value by an independent appraisal. However, the Foundation requested consideration of the public benefit of the groins in determining the amount to be paid to the State for the easements. The Board approval requires the issue of valuation to be taken back to the Board once the easements are appraised. The Department believes the grantees should pay the fair market value of the easements for the use of public lands, and will make that recommendation to the Board.

Thank you for the opportunity to testify.